

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

<b>LINDA FAIRSTEIN,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>NETFLIX, INC., AVA DUVERNAY, and</b> <b>ATTICA LOCKE,</b>  <b>Defendants.</b>	<b>Case No. 20-cv-8042 (PKC)</b>
---	----------------------------------

**DECLARATION OF KARA L. GORYCKI**

Kara L. Gorycki hereby declares, subject to the penalties of perjury pursuant to 28 U.S.C. § 1746:

1. I am Senior Counsel to the law firm of Nesenoff & Miltenberg, LLP, counsel for Plaintiff Linda Fairstein (“Plaintiff”). I submit this declaration in support of Plaintiff’s motion to file Confidential Information under seal or for alternative relief.

2. This motion was prompted by notice sent to me by Defendants’ counsel on September 16, 2022, in compliance with the Stipulated Protective Order entered in this action (ECF No. 105), which informed me of the Confidential information that Defendants intended to file in support of their upcoming summary judgment motion. A true and correct copy of this correspondence is annexed hereto as **Exhibit 1** and a redacted copy has been publicly filed.

3. Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure I hereby certify that, prior to making this motion, I conferred with counsel for Defendants Netflix, Inc., Ava DuVernay and Attica Locke (“Defendants”) in good faith about the confidentiality of the documents and testimony appended to this declaration and whether they would agree to file said documents under seal. We discussed confidentiality designations on a number of occasions and I provided

Defendants' counsel with confidentiality designations for the depositions of Linda Fairstein and Elizabeth Lederer. As set forth in Plaintiff's memorandum of law, the parties reached an agreement on certain redactions.

4. On September 19, 2022, I informed Defendants' counsel that Plaintiff would be moving to file the exhibits appended to this declaration under seal (including with respect to redactions that the parties had agreed upon). On September 20, 2022, I further informed Defendants' counsel that Plaintiff would be moving for a Protective Order with respect to Exhibits 2-7, 15-18 and 21-22, appended hereto, which Defendants had previously objected to filing under seal. I suggested a meet and confer in the event that Defendants changed their mind with respect to any of their objections. Defendants stood on their objections.

5. Annexed hereto as **Exhibit 2** is a true and correct copy of an excerpt from the deposition transcript of Linda Fairstein, pp. 109-112, with proposed redactions highlighted in yellow. A redacted copy has been publicly filed.

6. Annexed hereto as **Exhibit 3** is a true and correct copy of Fairstein Deposition Exhibit 67. The yellow highlighting was in the original exhibit. There are no proposed redactions.

7. Annexed hereto as **Exhibit 4** is a true and correct copy of an excerpt from the deposition transcript of Linda Fairstein, pp. 323-329, with proposed redactions highlighted in yellow. A redacted copy has been publicly filed.

8. Annexed hereto as **Exhibit 5** is a true and correct copy of Fairstein Deposition Exhibit 92. The yellow highlighting was in the original exhibit. There are no proposed redactions.

9. Annexed hereto as **Exhibit 6** is a true and correct copy of Fairstein Deposition Exhibit 93. The yellow highlighting was in the original exhibit. There are no proposed redactions.

10. Annexed hereto as **Exhibit 7** is a true and correct copy of Fairstein Deposition Exhibit 94. There are no proposed redactions.

11. Annexed hereto as **Exhibit 8** is a true and correct copy of Fairstein Deposition Exhibit 95. The yellow highlighting was in the original exhibit. There are no proposed redactions.

12. Annexed hereto as **Exhibit 9** is a true and correct copy of an excerpt from the deposition transcript of Linda Fairstein, pp. 349-351, with proposed redactions highlighted in yellow. A redacted copy has been publicly filed.

13. Annexed hereto as **Exhibit 10** is a true and correct copy of Fairstein Deposition Exhibit 98. The yellow highlighting was in the original exhibit. There are no proposed redactions.

14. Annexed hereto as **Exhibit 11** is a true and correct copy of an excerpt from the deposition transcript of Linda Fairstein, pp. 127-128, with proposed redactions highlighted in yellow. A redacted copy has been publicly filed.

15. Annexed hereto as **Exhibit 12** is a true and correct copy of an excerpt from the deposition transcript of Linda Fairstein, p. 194, with proposed redactions highlighted in yellow. A redacted copy has been publicly filed.

16. Annexed hereto as **Exhibit 13** is a true and correct copy of Fairstein Deposition Exhibit 22. The yellow highlighting was in the original exhibit. Proposed redactions are in purple. A redacted copy has been publicly filed.

17. Annexed hereto as **Exhibit 14** is a true and correct copy of Fairstein Deposition Exhibit 37. The yellow highlighting was in the original exhibit. Proposed redactions are in purple. A redacted copy has been publicly filed.

18. Annexed hereto as **Exhibit 15** is a true and correct copy of LF00000033. There are no proposed redactions.

19. Annexed hereto as **Exhibit 16** is a true and correct copy of LF00036016. There are no proposed redactions.

20. Annexed hereto as **Exhibit 17** is a true and correct copy of LF00048001. There are no proposed redactions.

21. Annexed hereto as **Exhibit 18** is a true and correct copy of Fairstein Deposition Exhibit 69. The yellow highlighting was in the original exhibit. There are no proposed redactions.

22. Annexed hereto as **Exhibit 19** is a true and correct copy of Fairstein Deposition Exhibit 87. The yellow highlighting was in the original exhibit. Proposed redactions are in purple. A redacted copy has been publicly filed.

23. Annexed hereto as **Exhibit 20** is a true and correct copy of Lederer Deposition Exhibit 14. The yellow highlighting was in the original exhibit. There are no proposed redactions.

24. Annexed hereto as **Exhibit 21** is a true and correct copy of Lederer Deposition Exhibit 21. There are no proposed redactions.

25. Annexed hereto as **Exhibit 22** is a true and correct copy of Lederer Deposition Exhibit 23. There are no proposed redactions.

I declare under the penalty of perjury that the foregoing is true and correct, pursuant to Title 28, United States Code 1746.

Executed on the 21st day of September, 2022.

/s/ Kara L. Gorycki  
KARA L. GORYCKI

**CERTIFICATE OF SERVICE**

I hereby certify that on September 22, 2022, a true and correct copy of the foregoing was served by CM/ECF on all counsel of record.

/s/ Kara L. Gorycki